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Let me just briefly say that in Texas today we funeralized a very great Federal judge, and I want to give my deepest sympathy to the family of Judge John Hannah for his great service and leadership, and I hope to pay him tribute in the days to come when we return back to Washington.

I want to finish, Mr. Speaker, on something that is really very devastating. We fought very long and hard all the way to the Supreme Court to preserve the understanding that affirmative action was not quotas, it simply was an outreach, and we were affirmed by a United Supreme Court in the Michigan case that race can be a factor in helping to diversify in this Nation and give opportunity. Lo and behold, Texas A&M decided in the last couple of days in the face of the Michigan case to slap the face of the United States Supreme Court and eliminate the element of race in their decisions for admissions. This is a university that has 82 percent white, 2 percent black, 9 percent Hispanic, and 3 percent Asian American in a State that is increasingly diverse, the State of Texas. My challenge to Dr. Gates, the chancellor, is to reform this misdirected policy, come back to the 21st Century, engage those of us who understand what affirmative action is, an outreach and not a handout, and begin to accept the law of the land that affirmative action is the law, and that we can use race as an element. It is time to address the question of these outrageous numbers: 2 percent black, 9 percent Hispanic, and 2 percent Asian American. I hope that we will resolve this crisis in Texas.

Mr. Speaker, I rise today in dismay, disappointment, and ashamed as an American and as a Representative of the State of Texas—the “Lone Star State.” As a Member of the House Judiciary Committee and as Representative of Texas’ 18th Congressional District, I must remark at the proposal made by Texas A&M University President Robert Gates last Thursday to remove race as a factor in granting admission or scholarships to the institution. I am extremely disappointed that Texas A&M voted to adopt this policy change and that it even considered not following the landmark precedent set by the *Grutter v. Bollinger* [University of] Michigan decision. Refusing to follow the positive precedent of this case marks the maintenance of a de jure racially imbalanced system, which is the wrong kind of message to send.

This large and prominent university already suffers from a significantly disparate racial student body ratio—for Fall 2003, the ratio was 82 percent white, 2 percent black, 9 percent Hispanic, and 3 percent Asian-American. Changing its admissions policy to remove race as a factor will almost certainly yield even lower diversity. It would take a tremendous amount of outreach and quite a few “special scholarships” to correct this trend. When this Nation’s highest court pronounced that race could be used as one of many factors in admissions and scholarships, the University of Texas, Rice University, and several other Texas institutions quickly implemented this

policy because of its clear beneficial effects on equality in education. Given that Texas A&M Board of Regents has opted to incorporate President Gates’ proposal, the university will stand in a minority position with respect to its express commitment to creating a more diverse student body.

It took some time for this nation to advance the principles that came from the great Brown v. Board of Education decision to the clear statement set forth in the University of Michigan case. To ignore the forward progress made by this court is a slap in the face of the Civil Rights Movement.

## TAMU ADMISSIONS MEMO

In a memo dated December 7, 2003, the University’s new admissions policy is summarized. Instead of using the standards that have been set forth by the nation’s highest Court—responsible for pronouncing the law of the land, Texas A&M claims that:

[g]ains in minority enrollment will come through enhanced outreach, not changes in admission policies, requirements and standards. Every student now and in the future can be confident he or she arrived at Texas A&M on his or her own individual merits.

Furthermore, the University promises that

[it] will work aggressively to increase the number of minorities from all backgrounds who apply to Texas A&M, and . . . [intends] to be far more aggressive in trying to persuade those [they] admit actually to enroll—to join the Aggie family. And, [they promise to] continue [their] efforts to ensure that once they arrive, they find a welcoming campus and remain [there] to graduate.

I find it interesting that while this University has promised to do all of the above things to create a welcoming environment and to ensure that minorities who are admitted will actually enroll, it has sat idly while its current student body has done just the opposite—students hold campus-wide “bake sales” where they give disparate prices to ethnic minorities—“brownies, 25 cents for whites, \$2.00 for negroes—however, you can receive a rebate by way of outreach and special scholarships.”

Its plan to increase its minority enrollment profile from the paltry ratio of 82 percent white, 2 percent black, 9 percent Hispanic, and 3 percent Asian-American consists of outreach programs, identifying former students from targeted high schools, and a scholarship for first-generation college students whose family income is \$40,000 or less. Again, it shocks me that such a non-aggressive strategy is chosen when the highest Court in America has made the statement that affirmative action is the most effective way to correct the banes of disparate enrollment percentages. The problem and the ugly imbalance that we see today was caused, in part, by the very philosophy that disagrees with the benefits of using race as a factor in admissions.

Ironically, the clearest case of ignoring this Nation’s efforts to eradicate racial injustice in education has occurred in the State of Texas. In Orlando, Florida, Governor Bush’s “One Florida” plan, an admissions policy program that eliminates quotas for minority college enrollment, fell short of being an effective replacement for race-based admissions, according to a study conducted by Harvard University. The study showed that the number of minority students enrolled in Florida’s colleges and universities had mostly stayed the same or increased slightly since the 1999 initiative went into effect.

At Harvard College, the Class of 2007 is comprised of: 65.1 percent Caucasian, 17.4 percent Asian-American, 8.4 percent African-American, 3.0 percent Hispanic-American, 3.6 percent Mexican-American, 0.8 percent Native American, 1.2 percent Puerto Rican, and 0.5 percent Other. Of the 5,300 undergraduates at Yale College, 30 percent are students of color. Its 2002 class profile was: 74 percent Caucasian, 13 percent Asian, 7.5 percent African American, 5 percent Hispanic-Latino, and < 1 percent Native American. These Ivy League institutions, which have historically had lower percentages of minority enrollment, can boast improved numbers and can say that these numbers will continue to improve with the legal precedent set by *Grutter v. Bollinger*. These institutions have not abandoned this country’s commitment to establishing diversity. Historically, Texas public universities have fallen behind in issues of racial segregation. For example, the Texas Constitution mandated segregated schools until 1954 and the UT Law School had scholarships “for whites only” until 1969. Similarly, this State has struggled to comply with legislative attempts to correct the negative trend. In 1950, the Court in *Sweatt v. Painter* ruled that Texas could not satisfy its Fourteenth Amendment responsibilities by creating a separate law school for blacks. These developmental shortcomings led to an investigation by the federal Office of Civil Rights (OCR) in 1973 as to the State’s efforts to eliminate all vestiges of a de jure racially dual education system.

Unfortunately, the Texas A&M policy marks a return of the vestiges of de jure educational discrimination consistent with *Hopwood v. Texas*. We now must form a new Civil Rights movement to ensure that the de facto contravention of a Supreme Court decision does not hinder the progress of this Nation.

## THE EUROPEAN UNION’S UNITED STAND AGAINST DRUG ABUSE

The SPEAKER pro tempore (Mr. RENZI). Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

## AN UNPRECEDENTED YEAR OF ACCOMPLISHMENT BY CONGRESS

Mr. SOUDER. Mr. Speaker, first before I make the basic remarks I came down to the floor to make, I think it is important to make a couple of comments on the appropriations process that has been, I believe, somewhat misrepresented in some of the comments we have heard today.

I want to thank the gentleman from California (Chairman LEWIS) and his subcommittee, the gentleman from Florida (Chairman YOUNG) of the full committee, our esteemed late colleague Mr. Skeen, who all understood that the appropriations process is extremely difficult. We all come in with all these requests. We believe that everybody else’s requests are pork except for ours. We try to have a budget resolution that we try to hold everybody in. This year we were fairly successful, but when we have the war in Iraq and other pressures, we inevitably go over. I had been a staffer for many years and then a Member of Congress. I do not

know when we have ever been within the budget guidelines, and we have done better than normal.

But the impression has been given that somehow this was an unprecedented, terrible thing and it was just Republicans and we jammed it. The unfortunate sad truth is if it was just Republicans, this bill would have failed today because we had a bunch of Republicans who did not back the Republican conference report. What we had were 58 Democrats who voted for this bill. Nearly one-third of the Democratic Party backed a bill that was just described as an awful, bipartisan, unprecedented effort, backed, by the way, by one-third of the Democrats. So I think it is really important to make sure in the RECORD that the things that the gentleman from Illinois (Speaker HASTERT) talked about today were, yes, very tough votes in many cases, took us a while to close the Medicare vote, but, in fact, it was an unprecedented year of accomplishment both in the Committee on Appropriations by the authorizers and in most cases, in almost every case, a bipartisan effort in spite of the fact that often the Democratic leadership pleaded with their Members not to make it bipartisan, but they saw the merits of the bill, and today 58 Democrats voted for this conference report.

I have at times been a critic of some of the drug policies of Europe, and I wanted to rise today and recognize and applaud the European Union for agreeing to toughen antidrug laws and urging actions to end drug tourism on the continent.

After more than 2 years of negotiations, EU ministers reached a landmark agreement on November 27 to toughen antidrug laws and to harmonize the continent's laws to make the bloc more efficient in the fight against illegal drugs. The laws cover all types of drug dealing, ranging from local networks to large-scale international operations.

Under the agreed rules, offering, selling, or producing drugs would be sanctioned with maximum jail terms of at least 1 to 3 years. In cases involving large-scale international drug trafficking, sanctions should be at least 5 to 10 years. Member states also agreed on a declaration stressing the importance of fighting drug tourism.

The EU's united stand against drug abuse strengthens global efforts to prevent drug abuse and to put away drug pushers and others including terrorists who financially benefit from destructive drug addiction. It is disappointing that the EU agreement will allow the so-called "coffee shops" in the Netherlands where marijuana can be legally abused to remain open. I am, however, encouraged that the Netherlands is investigating possible approaches that would end U.S. drug tourism to Amsterdam.

Dutch Justice Minister Piet Hein Donner has stated that the Netherlands Government is considering rules under

which "coffee shops" would only be allowed to sell drugs to Dutch residents as part of its obligation to dissuade tourists from going to Amsterdam for drugs. Under his proposal, only Dutch residents with identity cards would be allowed to use the cannabis cafes. This move would protect Americans visiting Amsterdam from the dangers of engaging in drug abuse. Currently, foreign tourists, including Americans, make up about 40 percent of "coffee shop" sales in Amsterdam, according to the London Times.

I also hope that this agreement will further our international efforts to control the trafficking of ecstasy and other dangerous synthetic drugs. In recent years, traffickers have set up their illegal manufacturing operations in countries, predominantly the Netherlands, and also to some degree in Belgium, in the hopes of avoiding tough penalties if they are caught. This agreement should send a clear signal to the drug cartels that Europe and the U.S. will continue to work together to break up these international drug rings.

Furthermore, I am encouraged that the Netherlands has also agreed to increase its sanctions for the possession of small quantities of marijuana to a year from 1 month. These are important steps in the Netherlands that I hope will eventually lead to stiffer penalties for all drug abuse.

It is increasingly clear that every nation must play a role in educating the public as to why drug abuse is harmful and in preventing drug addiction. As long as one country tolerates the production, sale, or distribution of any illegal drugs, other nations, communities, and families are vulnerable to the threats caused by drug abuse that is easily transported across borders. The EU's commitment to not tolerate drug abuse and drug tourism protects not only the families and communities of Europe but also the families and communities here and elsewhere in the world.

Again, I applaud this agreement and look forward to working with these and other countries to strengthen international drug laws and to protect children from the dangers of drug abuse and addiction.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. HARRIS) is recognized for 5 minutes.

(Ms. HARRIS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATSON) is recognized for 5 minutes.

(Ms. WATSON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Hawaii (Mr. CASE) is recognized for 5 minutes.

(Mr. CASE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. WAXMAN) is recognized for 5 minutes.

(Mr. WAXMAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

(Mr. HOLT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HONORING CONGRESSMAN JOE SKEEN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentlewoman from New Mexico (Mrs. WILSON) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mrs. WILSON of New Mexico. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to submit statements on my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mrs. WILSON of New Mexico. Mr. Speaker, this is what is called special orders, and it is an opportunity for Members to come to the floor of the House and talk about a particular topic, and today it is our sad duty to honor a friend and colleague of many in this House. Congressman Joe Skeen passed away last night in Roswell, New Mexico, after a long battle with Parkinson's disease, and this is an opportunity tonight for many of his friends to come to honor him.

Mr. Speaker, Joe Skeen retired in January of this year after 22 years of service in the House, and the 2nd District of New Mexico is now represented by the gentleman from New Mexico (Mr. PEARCE), my good friend, and I yield to the gentleman from southern New Mexico.

Mr. PEARCE. Mr. Speaker, I thank the gentlewoman from New Mexico for organizing this tribute.

The Nation has lost a leader, and New Mexico has lost a friend. Joseph Richard Skeen was born in Roswell, Chaves County, New Mexico, June 30, 1927. He was an Aggie. He attended Texas A&M University and graduated with a bachelor of science degree in 1950. He served the country honorably in the United States Navy from 1945 to 1946, and then I do not know what happened. I think he saw the light because